



# House of Representatives

General Assembly

**File No. 635**

January Session, 2017

Substitute House Bill No. 7214

*House of Representatives, April 18, 2017*

The Committee on Judiciary reported through REP. TONG of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING HARASSMENT OF A GUIDE OR ASSISTANCE DOG OR THE HANDLER OF SUCH DOG.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46a-44 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2017*):

3 (a) Any blind, deaf or mobility impaired person or any person  
4 training a dog as a guide dog for a blind person or [a] an assistance  
5 dog to assist a deaf or mobility impaired person may travel on a train  
6 or on any other mode of public transportation, and may enter any  
7 other place of public accommodation which caters or offers its services  
8 or facilities or goods to the general public, including but not limited to,  
9 any public building, inn, restaurant, hotel, motel, tourist cabin, place of  
10 amusement, resort or any facility of any such public accommodation,  
11 accompanied by [his] such person's guide dog or assistance dog, and  
12 [he] such person may keep such dog with him or her at all times in any  
13 such public accommodation or facility thereof at no extra charge,  
14 provided such dog shall be in the direct custody of such person and

15 shall be wearing a harness or an orange-colored leash and collar.

16 (b) Any blind, deaf or mobility impaired person or any person  
17 training a dog as a guide dog for a blind person or [a] an assistance  
18 dog to assist a deaf or mobility impaired person shall be entitled to  
19 visit any place of public accommodation, resort or amusement or a  
20 dwelling as a guest of a lawful occupant thereof, accompanied by [his]  
21 such person's guide dog or assistance dog, and [he] such person may  
22 keep such dog with him or her at all times in such public  
23 accommodation, resort, amusement or dwelling at no extra charge,  
24 provided such dog shall be in the direct custody of such person and  
25 shall be wearing a harness or an orange-colored leash and collar. No  
26 such blind, deaf or mobility impaired person or person training a dog  
27 as a guide dog [for a blind person or a dog to assist a deaf or mobility  
28 impaired person] or an assistance dog shall be charged any fee not  
29 applicable alike to all guests, provided the owner of such dog shall be  
30 liable for any damage done to the premises or facilities by such dog.  
31 For the purposes of this subsection, (1) a "place of public  
32 accommodation, resort or amusement" means any establishment  
33 which caters or offers its services or facilities or goods to the general  
34 public, including, but not limited to, any commercial building lot, on  
35 which it is intended that a commercial property or building will be  
36 constructed or offered for sale or rent, and (2) "dwelling" means any  
37 building, structure, mobile manufactured home park or portion thereof  
38 which is occupied as, or designed or intended for occupancy as, a  
39 residence by one or more families, and any vacant land which is  
40 offered for sale or lease for the construction or location thereon of any  
41 such building, structure, mobile manufactured home park or portion  
42 thereof, provided the provisions of this subsection shall not apply to  
43 (A) the rental of a room or rooms in a single-family dwelling unit, if  
44 the owner actually maintains and occupies part of such living quarters  
45 as [his] the owner's residence or (B) a unit in a dwelling containing  
46 living quarters occupied or intended to be occupied by no more than  
47 two families living independently of each other, if the owner actually  
48 maintains and occupies the other such living quarters as [his] the  
49 owner's residence.

50 (c) Any person who intentionally interferes with a blind, deaf or  
 51 mobility impaired person's use of a guide dog or an assistance dog,  
 52 including, but not limited to, any action intended to harass or annoy  
 53 the blind, deaf or mobility impaired person, the person training a dog  
 54 as a guide dog or assistance dog or the guide dog or assistance dog, or  
 55 who denies the rights afforded to a blind, deaf or mobility impaired  
 56 [persons or persons] person or person training a dog as a guide dog  
 57 [for a blind person or a] or an assistance dog [to assist a deaf or  
 58 mobility impaired person] under [subsections (a) and] subsection (a) or  
 59 (b) of this section shall be guilty of a class C misdemeanor, provided  
 60 such blind, deaf or mobility impaired person or person training a dog  
 61 as a guide dog [for a blind person or a dog to assist a deaf or mobility  
 62 impaired person] or an assistance dog complies with the applicable  
 63 provisions of subsection (a) or (b) of this section.

64 (d) For the purposes of this section, "guide dog" or "assistance dog"  
 65 includes a dog being trained as a guide dog or assistance dog and  
 66 "person training a dog as a guide dog for a blind person or [a] an  
 67 assistance dog to assist a deaf or mobility impaired person" means a  
 68 person who is employed by and authorized to engage in designated  
 69 training activities by a guide dog organization or assistance dog  
 70 organization that complies with the criteria for membership in a  
 71 professional association of guide dog or assistance dog schools and  
 72 who carries photographic identification indicating such employment  
 73 and authorization, or a person who volunteers for a guide dog  
 74 organization or assistance dog organization that authorizes such  
 75 volunteers to raise dogs to become guide dogs or assistance dogs and  
 76 causes the identification of such dog with (1) identification tags, (2) ear  
 77 tattoos, (3) identifying bandanas on puppies, (4) identifying coats on  
 78 adult dogs, or (5) leashes and collars.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2017	46a-44
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**JUD**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill expands the offense of harassment of guide or assistance dog and results in a potential revenue gain from new offenses. However it is anticipated that any revenue from violations will be minimal. In FY 16 there were no arrests under current law.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

**OLR Bill Analysis****sHB-7214*****AN ACT CONCERNING HARASSMENT OF A GUIDE OR ASSISTANCE DOG OR THE HANDLER OF SUCH DOG.*****SUMMARY**

This bill makes it a class C misdemeanor, punishable by up to three months in prison, up to a \$500 fine, or both, to intentionally interfere with a blind, deaf, or mobility impaired person's use of a guide or assistance dog. The punishable actions include intentionally harassing or annoying a (1) blind, deaf, or mobility impaired person; (2) guide or assistance dog that accompanies such person; or (3) person training a dog as a guide or assistance dog.

The law grants individuals who are blind, deaf, or mobility impaired and accompanied by a guide or assistance dog the right to travel on any mode of public transportation and enter any place of public accommodation offering its services to the public. This same right extends to individuals accompanied by such dogs for training purposes.

**BACKGROUND*****Guide Dog Trainers***

By law, a person training a guide or assistance dog includes a person who:

1. is employed, and authorized to engage in designated training activities, by a guide dog organization or assistance dog organization that complies with the membership criteria for a professional association of guide or assistance dog schools and who carries photographic identification indicating that employment and authorization or

2. volunteers for a guide or assistance dog organization that authorizes the volunteer to raise dogs to become guide or assistance dogs and has the dog identified with ID tags, ear tattoos, bandanas on puppies or coats on adult dogs, or leashes and collars.

The bill also makes several minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2017

### **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea    39    Nay   0    (03/29/2017)